

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:07-CR-00062-RJC

USA

v.

JOHN ROBINSON (2)

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ORDER

THIS MATTER is before the Court upon motion of the defendant for compassionate release based on the COVID-19 pandemic under 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act of 2018, (Doc. No. 66), and the government's response in opposition, (Doc. No. 70).

Section 603(b) of the First Step Act amended § 3582(c)(1)(A), which previously only allowed a court to reduce a term of imprisonment on motion of the Director of the Bureau of Prisons (BOP). Now a court may entertain a motion filed by a defendant: (1) after full exhaustion of all administrative rights to appeal a failure of the BOP to bring a motion on the inmate's behalf; or (2) after the lapse of 30 days from the receipt of such a request by the warden of the facility, whichever is earlier.

The defendant sought compassionate release based on COVID-19 at FCI Fort Dix where he was serving his sentence. (Doc. No. 80: Addendum at 1). However, he was released from confinement on or about August 19, 2021.¹

¹ See <https://www.bop.gov/inmateloc/>

IT IS, THEREFORE, ORDERED that the defendant's motion for compassionate release, (Doc. No. 66), is **DISMISSED as moot**.

The Clerk is directed to certify copies of this Order to the defendant, the Federal Defender, the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: March 29, 2022

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

